

ONE HUNDRED FOURTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

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WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

February 19, 2016

The Honorable James B. Comey  
Director  
U.S. Federal Bureau of Investigations  
935 Pennsylvania Avenue, NW  
Washington, DC 20535-0001

Dear Director Comey,

We invite you to testify before the Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, about the issues presented by the ongoing debate related to encryption technologies.

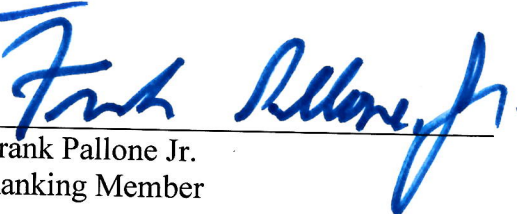

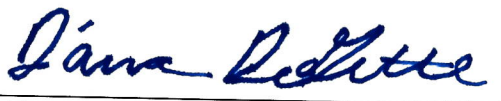
Over the last year, with the growing availability and adoption of strong encryption measures by commercial technology providers, there has been an increasingly public and heated debate about the costs and benefits of encryption technologies, in particular, the impact these technologies have on law enforcement's capabilities to investigate criminal conduct.

Technology manufacturers, among others, have argued that strong encryption measures are necessary to protect the sensitive personal, health, and financial data that are entrusted to their products by their customers. In turn, you and others have asserted that the law enforcement community is dangerously hindered in its ability to access critical evidence in criminal and terrorism investigations because such information is encrypted. These are difficult issues that present complicated questions relating to privacy, security, and law enforcement's need to access evidence to further its investigations.

This debate has now come to a critical juncture with the recent order by a federal magistrate to the Apple Corporation to assist the FBI in "unlocking" a security feature of a phone allegedly used by one of the perpetrators of terrorist acts in San Bernardino, California in December 2015. According to news reports, there are a number of other law enforcement officials around the country considering use of authorities to compel similar assistance by technology manufacturers.

Pursuant to Rule X of the U.S. House of Representatives, we respectfully request that you contact Charles Ingebretson of the Committee's majority staff, or Elizabeth Letter of the Committee's minority staff, no later than Wednesday, February 24, to discuss your availability to testify at a hearing before the Subcommittee on Oversight and Investigations. We anticipate this hearing will occur at the Committee's earliest opportunity and we are grateful for your cooperation.

Sincerely,

  
Fred Upton  
Chairman  
Frank Pallone Jr.  
Ranking Member  
Tim Murphy  
Chairman  
Subcommittee on Oversight  
and Investigations  
Diana DeGette  
Ranking Member  
Subcommittee on Oversight  
and Investigations